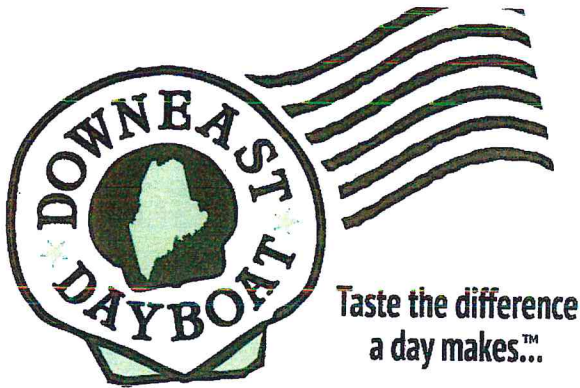


#10

# CORRESPONDENCE



September 8, 2016

Dear Tom, Terry, and members of the Scallop AP and Committee:

I'm writing to ask you to make correction of NGOM management inconsistencies a top priority in 2017, and to postpone making any significant increase in the NGOM TAC until these measures are in place.

In 2016, GC and NGOM boats took 87,103 pounds of scallops from the NGOM. This increase in fishing intensity was at least partly due to a desire close the fishery as quickly as possible, as closure was the *only* way to curtail LA removals. In the 10 weeks the NGOM was open, NOAA Fisheries' best guess is that Limited Access vessels took 291,232 pounds of scallops from the area.

The most recent NGOM survey suggests biomass has increased dramatically. Under normal circumstances, an increase in biomass would prompt an increase in the TAC. But increasing the NGOM TAC prior to correcting management inconsistencies would merely allow LA vessels an even longer period of unrestricted (and at this point unknown) fishing in this unique and vulnerable area.

Last week PDT members suggested that since GC and NGOM vessels took roughly one quarter of NGOM landings in 2016, perhaps the 2017 TAC should be set at roughly one quarter of what the PDT believes is a responsible landings figure. Dr. Dvora Hart noted the awkwardness of this approach. I don't think "awkward" adequately describes the process of establishing a TAC and then hoping it's only exceeded by 500%. I am also very wary of the precedent established by assigning a percentage of landings amongst the fleets based on one *extremely erroneous and possibly inaccurate* year of data.

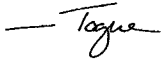
Some have suggested that extending the shellstock prohibition into the NGOM will correct the problem. I would like to point out that in April the state of MA began enforcing a prohibition on possession of more than 50 bushels of shellstock in its state waters (which largely corresponds with the VMS demarcation line). Despite this prohibition, numerous LA vessels fished in the NGOM until it was closed on May 13.

Many of the fishermen I work with would relish having greater NGOM fishing opportunities in 2017. But they're worried about what will happen to the resource if the TAC is increased before management problems are corrected. Some want the TAC to stay where it is in 2017 (I personally feel this is most responsible option). Some are hoping for a slight increase. But every single one of them believes it would be irresponsible to raise the TAC above 100,000 pounds, for a total of around 80,000 pounds after the 2016 overage is deducted.

To adequately protect the NGOM management area, the Council must prioritize correcting management inconsistencies in 2017. In the meantime, it's important that we not make matters worse by creating an even greater opportunity for unrestricted fishing in the NGOM. If you opt to increase the TAC, *please do so cautiously.*

I urge you to make correction of NGOM management problems a priority in 2017, and I respectfully ask you to refrain from making any potentially dangerous changes to the NGOM TAC until that occurs.

Yours truly,

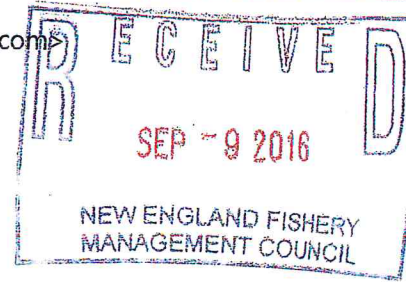


Togue Brawn  
Downeast Dayboat

**Sherie Goutier**

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**From:** Jim Wotton <cranberryislandlobster@yahoo.com>  
**Sent:** Thursday, September 08, 2016 4:44 PM  
**To:** comments  
**Subject:** NGOM Scallop TAC



Dear members of the Scallop AP and Committee:

I'm writing to ask you to prioritize correcting NGOM management inconsistencies in 2017.

I've held on to my NGOM permit for years now, waiting for the opportunity to actually use it. I finally got that opportunity this year, when mine and a number of other Maine boats were able to take advantage of the newly recovering resource in the southern section of the NGOM.

But while we were tapping away, taking 200 pounds at a time, I watched Limited Access vessels fishing around the clock, taking hundreds of thousands of pounds from the area. I don't understand how fisheries managers can establish a TAC, but then allow the vessels with the greatest fishing power to remove whatever they want above and beyond that TAC. And from what I understand, there's no real way to document exactly what they took out of the NGOM.

The NGOM was established so vessels that had historically fished the area could continue to do so if and when the resource returned. Now we have a glimmer of hope of a recovery, but dangerous management inconsistencies could allow it to be wiped out before it has a chance to fully recover.

Personally, I hope the TAC stays close to where it is. I'd like it to be raised eventually, but I think we should hold off on raising it too much until after we've put something in place to prevent the LA boats from taking an unlimited amount of scallops out above and beyond the TAC.

If you want to leave it where it is, then fine. If you want to raise it a little, then fine, but please don't raise it too much. And please be sure to make NGOM management corrections a top priority in 2017. Because whatever the TAC is, it's going to be reduced by around 20,000 pounds because of the Gen Cat and NGOM "overage" last year, but no one seems worried about the 290,000 pound "overage" the LA boats took. That just doesn't seem right.

Thank you for your consideration.

- James Wotton  
F/V Overkill  
Permit #151564



**Sherie Goutier**

**From:** kbporter5@roadrunner.com  
**Sent:** Thursday, September 08, 2016 5:51 PM  
**To:** comments  
**Subject:** NGOM Scallops



Dear Terry and members of the Scallop AP and Committee:

I'm writing to ask you to set the TAC for the NGOM at no more than 100,000 pounds in 2017, and also to make sure you make fixing NGOM scallop management inconsistencies a top priority in 2017.

Scallop fishing represents an important component of my annual income. I fished for scallops in the Federal waters of the Gulf of Maine in the past and in recent years I've been fishing there again, both off my home port (Cutler, ME) and in the southern portion of the NGOM. I've been able to do this because the Council established the NGOM so fishermen like me wouldn't lose access to the scallop resource simply because scallops in the Gulf of Maine happened to be at a low point in the few qualifying years for Amendment 11.

We have an opportunity to create a sustainable, profitable fishery in the NGOM. But that won't happen until we correct the dangerous situation that currently exists: Limited Access vessels are able to fish in the NGOM using DAS allocated to them based on the status of the resource outside the NGOM, and they're not bound by measures to protect the NGOM resource other than the fact that they have to stop fishing once the TAC is reached (by Gen Cat and NGOM boats).

I understand the importance of conservation. I can accept the 200 pound limit, the dredge size maximum and the conservative TAC. But it's hard to accept that our TAC has to be reduced in 2017 because we (NGOM and IFQ boats) went over in 2016, when no one seems worried that the Limited Access Fleet went "over" by over 200,000 pounds in that same period. I'd like our TAC set at around 100,000 pounds in 2017. It's my understanding that this figure was floated at last week's PDT meeting, and I think it makes sense. Since we're going to have 20,000 pounds shaved off it right off the bat, that'll make for an 80,000 pound TAC, and I think that makes sense. That'll give us an opportunity to fish for a few months before the fishery is closed.

There's no way we're going to have a perfect situation in 2017. Our situation won't be "right" until inconsistencies are corrected. But I think a TAC of 100,000 pounds strikes a reasonable balance between precaution and opportunity. So I hope that's what you recommend. But whatever you recommend, please make correction of NGOM management inconsistencies a top priority in 2017. There is a golden opportunity to have a successful small boat fishery here in New England. A Fishery with dozens of independent Owner-Operators making a living on a sustainable stock would really be something the NEFMC could hang their hat on. I hope that this situation gets dealt with as soon as possible before this opportunity gets deck loaded and hauled away.

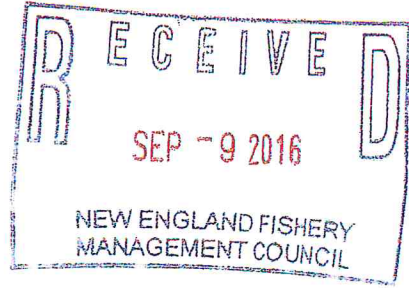
Thank you

Kristan Porter  
F/V Brandon Jay  
Permit #152057

**Sherie Goutier**

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**From:** Alex Todd <alextodd207@gmail.com>  
**Sent:** Thursday, September 08, 2016 8:27 PM  
**To:** comments  
**Subject:** NGOM scallop area



Dear Terry and members of the Scallop Advisory Panel and Committee:

I'm writing to ask you to make sure correction to NGOM management problems is a priority in 2017.

I've fished my NGOM permit for the past few years, and for the most part I've been pleased by what I've seen. I think the resource is coming back, and I look forward to being able to use my permit to target scallops more regularly throughout the year as the resource recovers.

But I don't understand how you can set a TAC for me and the other small boats that fish the area, but not worry about the hundreds of thousands of pounds that are taken out of the area by the Limited Access Fleet.

We went over the TAC by around 20,000 pounds last year. So in the name of conservation, you're going to take that off our TAC next year. OK. I get that. But it's hard to accept that you're really concerned with conservation if you're not going to do anything to limit the LA fleet.

I personally would like to see the TAC set at around 100,000 pounds next year. If you do that, we'll end up being able to take around 80,000 pounds, which is about what we took last year. Hopefully the LA boats won't be able to do too much damage while we're fishing 200 pounds at a time.

But I really hope you'll do something to fix the bigger problem once and for all in 2017. The NGOM was set aside specifically so that the boats that had historically fished the area could continue to do so if and when the resource recovered. Now it's recovering. But if we don't do something to fix NGOM management loopholes, that recovery will be short lived.

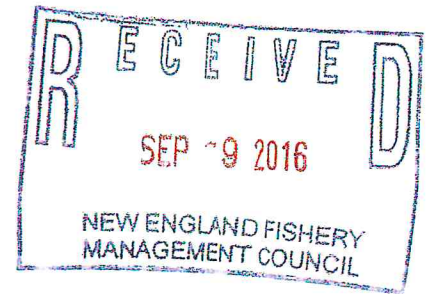
Thank you

- Alex Todd  
F/V Jacob and Joshua  
Permit #242848

**Sherie Goutier**

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**From:** Robert Odlin <rodlin1@maine.rr.com>  
**Sent:** Thursday, September 08, 2016 9:10 PM  
**To:** comments  
**Subject:** Scallops



I'm a NGOM scallop permit holder.

I'm very interested in seeing more quota for us.

My vessel is Maria and Dorothy, permit 250527

Also there should be a mechanism to dis allow NON NGOM vessels to fish in the area

Thanks

Robert Odlin

Sent from my iPhone



**Sherie Goutier**

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**From:** Josh Trundy <jtrundy86@hotmail.com>  
**Sent:** Friday, September 09, 2016 7:10 AM  
**To:** comments  
**Subject:** Please prioritize NGOM management corrections in 2017



Dear Chairman Stockwell, Director Nies and members of the Scallop AP and Committee:

I'm writing to ask you to make correction of NGOM management inconsistencies a top priority in 2017. I'm also asking you to set the 2017 NGOM TAC at no more than 100,000 pounds.

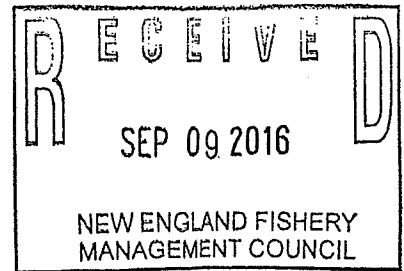
I fished the NGOM this year for the second year, and I'd like to fish the NGOM more in the coming years as the resource recovers. But I'm worried that I might not be able to do that, because right now there's nothing in place to prevent the resource from being completely wiped out.

To protect the NGOM resource and fishery there's a 200 pound daily limit, a maximum dredge size and a pretty conservative TAC in place right now. And because the Gen Cat and NGOM boats went over the TAC this year, next year's TAC will be reduced by 20,000 pounds. That reduction is a pretty tough pill to swallow when you consider the fact that the Limited Access Fleet took out over 200,000 pounds (possibly a whole lot more).

I understand that it takes time to change management. But the system we have now makes no sense at all, and some things just shouldn't be overlooked or kicked down the road. It would have been a lot better if we had fixed these problems BEFORE the resource came back. Now that the resource is growing, I sincerely hope you'll fix NGOM management problems in 2017. If you do so, I think there's a good chance the NGOM scallop fishery could live up to its potential. If you don't, it'll be just another flash in the pan, and we could have to wait another 20 years or longer to get another chance to fish the area.

Thank you  
- Josh Trundy





**From:** Danielle Palmer - NOAA Federal [mailto:danielle.palmer@noaa.gov]  
**Sent:** Tuesday, August 30, 2016 11:09 AM  
**To:** Jonathon Peros <jperos@nefmc.org>  
**Cc:** Travis Ford <travis.ford@noaa.gov>  
**Subject:** Re: FW: Sea turtle Experts in NOAA & Protected species CONTACT LIST TOP DOWN.

Hi Jonathon,

Below is our response to James Fletcher:

In August 2015, the NEFMC requested GARFO-PRD's assistance in obtaining any available information on the sea turtle and sea scallop nematode (*S. sulcata*) host/parasite relationship. We contacted several sea turtle veterinarians PRD works with; their expert opinion is that the nematode is an extremely common parasite of loggerheads and to some degree, Kemp's ridley sea turtles. In fact, opportunistic data obtained from stranding necropsies has showed no change in infection rate over the last 10 years. While the veterinarians noted that the nematode could be a problem in already comprised sea turtles, there has been no indication to date that the nematode has contributed to the decline in overall sea turtle health and survivability and therefore, affected the sustainability of the sea turtle population. In fact, one veterinarian stated that he would not attribute infection as a cause of sea turtle stranding or serious disability. While the above information is not taken from direct studies on the impact of nematodes on the health of sea turtles, their expert opinion is that, overall, the nematode is not a threat to the continued survival of the sea turtle population.

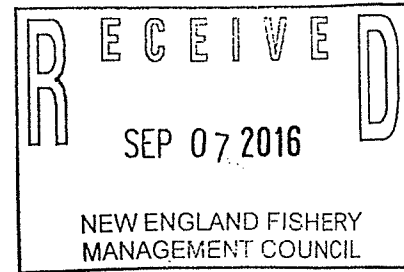
In regards to the topic of sea turtle vaccination, based on the above, this is not a priority or a recommendation being made by any of our scientists or veterinarians. In the future, should the nematode be identified as a significant health risk to sea turtles, GARFO PRD recommends that a broader conversation on the concept of "vaccinations" be had with sea turtle veterinarians and biologists; however, until that time, there is no need to pursue this topic.

In addition, in terms of POC, for now I will serve as the POC and will relay any questions or concerns to our sea turtle biologist. In the near future, though, we will work on developing a list of NMFS turtle people that we can provide to you and other Council staff.

Danielle

JP 9/9/16

Mr. John Bullard, Regional Administrator  
NOAA Fisheries Service  
Greater Atlantic Regional Fisheries Office  
55 Great Republic Drive  
Gloucester, MA 01930-2276



September 6, 2016

Dear Mr. Bullard:

We are writing to request that you use your authority under 50 CFR 648.80(a)(8) and (50 CFR 648.80(a)(17) to expand the existing Gulf of Maine scallop dredge exemption area and the Great South Channel scallop dredge exemption areas to encompass the entire Gulf of Maine and Georges Bank regulated mesh areas, not including habitat closed areas, or year round closed areas except when allowed under the Scallop Access Areas Program.

The original rationale behind restricting General Category access to these areas is no longer relevant. At the time, "the harvesting and discarding of groundfish [was] potentially significant...[and t]he Council believe[d], and NMFS concur[red], that without any limitations on this practice, it will escalate."<sup>1</sup> Since that time, the General Category scallop fleet has transitioned from an open access fishery to a limited access ITQ fishery, which has resulted in a significant reduction in participants.

Furthermore, observer collected data and studies conducted by UMass Dartmouth's School for Marine Science & Technology and the Gulf of Maine Research Institute have repeatedly shown that General Category gear results in minimal bycatch levels. In GMRI's 2008 study of the Great South Channel Scallop Dredge Exemption Area, researchers found "consistent bycatch rates of less than 3% of the total catch" for monkfish and individual flounder species.<sup>2</sup> SMAST's 2013 project with the Cape Cod Fisheries Trust, which studied bycatch in the General Category fleet off the outer Cape, found D:K ratios averaging between 0.003 and 0.015, depending on the time of year.<sup>3</sup> And as recently as 2016, General Category scallopers participating in an SMAST study in Nantucket Lightship averaged a D:K ratio of 0.0002 for yellowtail and 0.002 for windowpane.<sup>4</sup>

We understand that it may not be feasible for the Council to overturn these closures wholesale at the moment. However, it is within your power to extend the scallop dredge exemption areas that have provided some much-needed opportunities to General Category boats in the past. Under current regulations, your decision to modify existing exemption areas for the General Category fleet must be based on the

<sup>1</sup> Northeast Multispecies Fishery; Framework 9, 60 Fed. Reg. 19366 (April 18, 1995).

<sup>2</sup> Daniel J. Salerno, An Evaluation of Finfish Bycatch Rates Inside the Great South Channel Scallop Dredge Exemption Area for the General Category Scallop Fishery (May 29, 2008), available at [http://archive.nefmc.org/research/cte\\_mtg\\_docs/090806/report%208%20An%20evaluation%20of%20fin%20fish%20bycatch.pdf](http://archive.nefmc.org/research/cte_mtg_docs/090806/report%208%20An%20evaluation%20of%20fin%20fish%20bycatch.pdf).

<sup>3</sup> Steve Cadrin and Cate O'Keefe, Cape Cod Fisheries Trust Scallop Research Project (April 30, 2013), available upon request.

<sup>4</sup> Steve Cadrin and Brooke Wright, final results forthcoming.

JP - 9/7/16

determination that the by-catch of regulated species is less than 5%, by weight, of total catch.

Typically, information to support that determination would be based on by-catch data collected on experimental fishing trips. However, based on the studies cited above, we contend that there is sufficient data to support a determination that the mandated small dredge used by this fleet meets the 5% bycatch standard. Observer collected bycatch of regulated species by the limited access fleet, which enjoys access to the entire Gulf of Maine and Georges Bank regulated mesh areas (when fishing under open area days at sea), should be conclusive regarding the bycatch of regulated species in general by (albeit larger) scallop dredges.

Please contact us should you require additional information.

Maggie Raymond



Associated Fisheries of Maine

Nick Muto, Chairman



Cape Cod Commercial Fishermen's Association

CC: Tom Nies





New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116  
E.F. "Terry" Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

August 25, 2016

Mr. James Gutowski  
1809 Central Ave, Box 772  
Barnegat Light, NJ 08006

Dear Jim:

I am pleased to let you know that the New England Council Chairman has approved your nomination for Scallop Advisory Panel Chair, effective immediately. Congratulations!

The Advisory Panel Chair is expected to communicate meeting results to the Scallop Committee. Expenses for participation in committee meetings will be covered by the Council and will be indicated on the appropriate travel authorization and reimbursement form. I have included an excerpt from the Council's Operations Handbook that provides additional details about Council Advisory Panels and your role as the chair. The next Scallop Advisory Panel meeting will be on Sept. 13th, at the Waypoint Event Center in New Bedford, Massachusetts. Please coordinate with Jonathon Peros, Scallop Plan Coordinator, and Mary Beth Tooley, Scallop Committee Chair, as your meeting approaches.

On behalf of the Council, as well as the Scallop Committee, I would like to thank you for your interest and willingness to serve in this capacity. Please feel free to contact Jonathon Peros ([jperos@nefmc.org](mailto:jperos@nefmc.org)) 978-465-0492 ext. 117 or myself if you have any questions.

Sincerely,

Thomas A. Nies  
Executive Director

cc: Mary Beth Tooley

**Sherie Goutier**

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**Subject:** FW: Sea turtle Experts in NOAA & Protected species CONTACT LIST TOP DOWN.

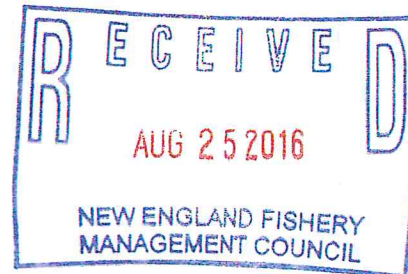
-----Original Message-----

From: James Fletcher [<mailto:unfa34@gmail.com>]

Sent: Wednesday, August 24, 2016 8:56 AM

To: Travis Ford <[travis.ford@noaa.gov](mailto:travis.ford@noaa.gov)>; Jonathon Peros <[jperos@nefmc.org](mailto:jperos@nefmc.org)>

Subject: Sea turtle Experts in NOAA & Protected species CONTACT LIST TOP DOWN.



Two email same day, The nematodes are a growing problem in sea turtles, need NOAA or protected species list of employees, from top down to begin a vaccination / development of vaccine to prevent nematodes affecting sea turtle health, all dead turtles have nematodes in intestines & throat. ARE NEMATODES CAUSING / CONTRIBUTING TO TURTLE DEATHS???

Need a study of information available on Vaccine to lessen nematodes, Begin with female turtles on beach then possibly eggs prior to hatch or post hatch. When you stop laughing this really needs working on { need contact list and where they are in chain of command} . Also list for NGO'S for turtle organizations. Do councils have turtle people?

Thanks for time;

--  
James Fletcher  
United National Fisherman's Association  
123 Apple Rd.  
Manns Harbor, NC 27953  
252-473-3287

**Sherie Goutier**

---

**Subject:** FW: Next meeting when & Discussion



**From:** James Fletcher [<mailto:unfa34@gmail.com>]  
**Sent:** Wednesday, August 24, 2016 8:34 AM  
**To:** Sherie Goutier; Travis Ford; Jonathon Peros  
**Subject:** Fwd: Next meeting when & Discussion

Would like to see following for discussion at AP scallop Meeting.

**WE NEED SCALLOPS TO SOUTHERN PORTS!!! LOW FLOUNDER QUOTAS THE 600# WOULD HELP INCOME FOR TRIP!**

Second discussion point stop the 72.30 line at south end off NY to allow LAGC on flounder trip to land 600# trip

when on flounder trip from NJ, VA, NC \*\*\*\* OR WORDING A VESSEL ON SUMMER FLOUNDER TRIP WITH LAGCP POUNDS CAN LAND UP TO 600# PER SUMMER FLOUNDER TRIP; This would effect about 35 southern boats that have LAGC permits & Flounder landings in NC & VA. May need wording about landings of by catch }

----- Forwarded Message -----

**Subject:** Next meeting when & Discussion  
**Date:** Mon, 22 Aug 2016 09:53:13 -0400  
**From:** James Fletcher <[unfa34@gmail.com](mailto:unfa34@gmail.com)>  
**To:** Jonathon Peros <[jperos@nefmc.org](mailto:jperos@nefmc.org)>

When is next AP meeting.

Could we discuss General Category larger vessels?

Proposal: LAGC 600# trips. If vessel is larger than X ft. 60 to 65 feet example.

Could make trip into closed areas {when Open } and land closed area amount in one trip {600# X to reach 18,000} provided the vessel lands trip south in Carolina or Virginia.

Trying to get more scallops south; trying to move larger vessels that have LAGC permits off shore & into closed areas, Leaving inshore areas for smaller vessels.

Areas I & II would then have LAGC landings by larger Vessels while encouraging scallops to Carolina & Virginia.

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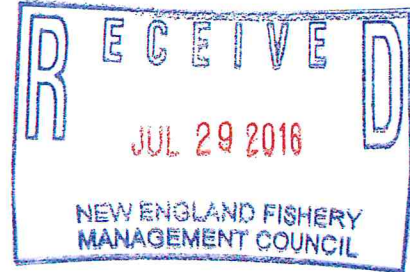
James Fletcher  
United National Fisherman's Association  
123 Apple Rd.  
Manns Harbor, NC 27953  
252-473-3287





**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**NATIONAL MARINE FISHERIES SERVICE**  
Northeast Fisheries Science Center  
166 Water Street  
Woods Hole, MA 02543-1026

July 26, 2016



Mr. Thomas A. Nies  
Executive Director  
New England Fishery Management Council  
50 Water Street  
Newburyport, MA 01950

Dear Tom:

Thank you for providing updated research priorities to support the 2017/2018 Atlantic Sea Scallop Research Set Aside (RSA) Program competition. These will be included in the upcoming Federal Funding Opportunity (FFO), which we intend to announce before the end of July. Although the RSA frequently asked questions (FAQ) document will not be available in time for the release of the FFO, the FFO contains all of the information that program respondents need to submit an application and meet program requirements, and includes information on the proposal review process and evaluation criteria. The RSA FAQ remains a priority, and we will notify the Council as soon as it is available.

With respect to the Council's motion, we appreciate your proposed suggestions toward improving program transparency. However, there are legal and practical issues I must consider when deciding what, if any, information from the applicants should be made publicly available.

Foremost, the Science Center must protect all information submitted by program applicants that would be "confidential" within the meaning of Freedom of Information Act (FOIA) Exemption 4 (5 U.S.C. § 552(b)(4)) or under the Magnuson-Stevens Fishery Conservation and Management Act (MSA, 16 U.S.C. § 1881a(b)). For example, grant proposals (both funded and unfunded) contain confidential financial and other proprietary information that could not be released to the public without the submitter's consent. Further, we may not directly or indirectly disclose the identity or business of any person who submits information required by the regulations promulgated under MSA. Divulging the details of unfunded proposals presents a particular challenge, as disclosure could undermine the applicant's ability to refine their proposal and pursue their research through other funding sources.

Moreover, I have several concerns with making reviewer comments available to the public. Specifically, this could compromise the agency's deliberative process by, among other things, dissuading reviewers from participating in, or being candid in, their evaluations. In addition, these comments are often in reference to specific elements of a research proposal, and would lack context without having the full proposal at hand. Reviewer comments could also reveal details about a proposal that the unsuccessful applicant may not want to be released to the public,



JP - 7/29/16

such as a proposed gear modification or survey technology. In addition to releasing proprietary content, unsuccessful applicants may not want critical comments on their research proposal released to the public. Consequently, we do not feel it would be appropriate for the Science Center to release potentially sensitive information to the general public on rejected applications that reveal the details of their proposed research, or the comments that led to the denial of the application.

Although the information I am able to share is limited for the aforementioned reasons, there are opportunities to keep the Council and advisory panels informed generally of RSA project proposals received, with an overview of my proposal selection decisions once we have them. This could include identifying the Council priorities that applicants are responding to, or discussing proposal attributes that led to a funding decision.

I appreciate the Council's interest in, and support of, the RSA programs. I remain committed to working together to improve RSA program transparency, and ensure that members of the Council and your advisory panels remain informed of RSA program developments and funding decisions.

Please contact me if you would like to discuss further,

Sincerely,

A handwritten signature in blue ink that reads "William Karp". The signature is written in a cursive style with a large initial "W".

William A. Karp, Ph.D.  
Science and Research Director

cc: R. Beal  
J. Bullard  
C. Moore



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116  
E.F. "Terry" Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

June 29, 2016

Dr. William Karp  
Science and Research Director  
Northeast Fisheries Science Center  
166 High Street  
Woods Hole, MA 02543-1026

Dear Bill:

The Council discussed future research priorities for the next Scallop Research Set-Aside (RSA) announcement. The attached list includes Council's recommendations for fishing years 2017 and 2018 as approved at their June 2016 meeting. The Scallop Plan Development Team, Advisory Panel, and Committee all provided input prior to the Council meeting.

Also, the Council continues to feel that transparency is an integral part of the scallop RSA process, and passed the following motion 16-0-1:

**Motion:** *that the Council request a summary of all future RSA project proposals (funded and unfunded), with a summary of reviewer comments and rationale for funding decision, be made available by NMFS to the public subject to existing law.*

Finally, the Council was recently made aware of the Agency's ongoing efforts to develop a 'Frequently Asked Questions' document for the Scallop Research Set-Aside Program. The Council supports this work and strongly suggests that NMFS distribute this document with the 2017/2018 Scallop RSA announcement.

Please contact me if you have questions.

Sincerely,

Thomas A. Nies  
Executive Director

cc: John Bullard, GARFO

Enclosure



## 2017 and 2018 Atlantic Sea Scallop Research Priorities

### HIGHEST

#### 1. Survey Related Research (a, b, and c have equal priority)

Table 1 - RSA Survey Projects Funded for 2016 and 2017 (two-year awards)

Project Title	Lead	Years Funded	Survey Type	2016 RSA Priority
A Cooperative High Precision Dredge Survey to Assess the Mid-Atlantic Sea Scallop Resource Area (2-years)	VIMS	2016/2017	Dredge	1c
An Assessment of Sea Scallop Abundance and Distribution in the Nantucket Lightship Closed Area and Surrounds (2 years)	VIMS	2016/2017	Dredge	1a
Impact of Disturbance on Habitat Recovery in Habitat Management Areas on Georges Bank (2 years)	WHOI	2016/2017	Optical (ROV)	1b

1a. an intensive industry-based survey of each of the relevant scallop access areas (Closed Area I, Closed Area II, Nantucket Lightship<sup>1</sup>, Delmarva, Elephant Trunk and Hudson Canyon) that will provide estimates of total and exploitable biomass to be used for setting fishery catch limits under the rotational area management program. To support these area management decisions, survey data and biomass estimates must be available by early August of the year in which the survey is conducted (e.g. survey results that would inform 2018 fishing area decisions must be available by August 2017). Areas scheduled to be open in the following fishing year generally have a higher priority than other areas. For 2017 the priority areas to survey in order of importance are likely to be: Elephant Trunk, the access area in the southern part of Closed Area II as well as the extension south of Closed Area II,

1b. an intensive industry-based survey of areas that may be candidate access areas in the future (i.e., open areas with high scallop recruitment or closed areas that may open to fishing).<sup>2</sup> For 2017, the priority area is the “sliver” north of the current access area in Closed Area I with known concentrations of scallops, which is currently part of an EFH closed area.

1c. a resource wide industry-based survey of scallops within Georges Bank and/or Mid-Atlantic resource areas<sup>3</sup>. The survey or surveys do not need to be carried out by a single grant recipient. The primary objective of these surveys would be to provide an additional broad scale biomass index in addition to the federal survey to improve the overall precision of the scallop biomass estimate produced by the Scallop Plan Development Team. Survey results must be available by early August of the year in which the survey is conducted (e.g. survey results that would inform 2018 fishing effort decisions must be available by early August 2017).

<sup>1</sup> An intensive industry-based dredge survey of the Nantucket Lightship and surrounds was funded for two years (2016/2017) through the 2016 Scallop RSA process.

<sup>2</sup> An intensive optical survey of the Northern Edge and surrounding areas was funded for two years (2016/2017) through the 2016 Scallop RSA process.

<sup>3</sup> A broad, resource wide industry-based dredge survey of the Mid-Atlantic resource area, including Delmarva, Elephant Trunk, and Hudson Canyon, was funded for two years (2016/2017) through the 2016 Scallop RSA process.

## HIGH (of equal importance)

### 2. Bycatch research

Identification and evaluation of methods to reduce the impacts of the scallop fishery with respect to bycatch of small scallops and non-target species. This would include projects that reduce impacts on small scallops through gear modifications, determine seasonal bycatch rates of non-target species, characterize spatial and temporal distribution patterns, gear modifications to reduce non-target bycatch and avoid fishery conflicts, collect and analyze catch and bycatch data on a near-real time basis, as well as the associated discard mortality rates of key bycatch species. Research efforts focusing on non-target bycatch should provide results that would help the scallop industry avoid pending or potential implementation of accountability measures.

### 3. Scallop meat quality research

Research aimed at describing the occurrence, as well as understanding the mechanisms and processes (including the life cycle and disease processes) that affect scallop product quality (i.e., scallops with grey meats or evidence of disease/parasites); research aimed at evaluating the impact of density dependence and the potential impacts of area rotation on scallop product quality, marketability, and meat weights would be particularly useful, including seasonal monitoring.

## MEDIUM (listed in order of importance):

4. Research to support the investigation of non-harvest mortality of scallops. This includes research on natural mortality, such as scallop predation (e.g. starfish, crab and dogfish), incidental mortality (scallop mortality of uncaptured scallops that interact with gear but are not captured), and discard mortality (e.g. shucked scallops that are discarded due to meat quality, tearing, or size preference). The assumed non-harvest (natural, incidental, discard) mortality rate used in the assessment is very uncertain; research that would improve the understandings of non-harvest mortality and refine the assumed rate would be useful. Any research that is going to potentially inform the next benchmark assessment for scallops should be available by December 2017 so that results can potentially be considered in the assessment.

5. Research to support the investigation of loggerhead turtle behavior in the Mid-Atlantic (via satellite tagging or other means) to understand their seasonal movements, vertical habitat utilization, how and where interactions with scallop dredge gear are occurring, and the status of the population. This includes monitoring of scallop dredge and scallop trawl operations, and the development of further gear modifications if monitoring should indicate current designs are not eliminating the threat or harm to sea turtles or are resulting in unacceptable reductions in scallop catch.

6. Research to evaluate the potential impacts of scallop spat and seeding projects.

## OTHER (of equal importance)

7. Habitat characterization research including (but not limited to): before after control impact (BACI) dredge studies<sup>4</sup>; identification of nursery and over-wintering habitats of species that are vulnerable to habitat alteration by scallop fishing; evaluation of long-term or chronic effects of

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<sup>4</sup> A before after control impact study and optical survey of the Northern Edge area was funded for two years (2016/2017) through the 2016 Scallop RSA process.

scallop fishing on the ecosystem; and habitat recovery potential from fine scale fishing effort. In particular, projects that would evaluate present and candidate EFH closures to assess whether these areas are accomplishing their stated purposes and to assist better definition of the complex ecosystem processes that occur in these areas. Finally, investigation of variability in dredging efficiency across habitats, times, areas, and gear designs to allow for more accurate quantitative estimates of scallop dredge impacts on the seabed and development of practicable methods to minimize or mitigate those impacts.

8. Research projects designed to either 1) examine whether chemicals, water quality, and other environmental stressors affect reproduction and growth of scallops (e.g. jet fuel, pesticides, ocean acidification, etc.); 2) research other scallop biology projects, including studies aimed at understanding recruitment processes (reproduction, timing of spawning, larval and early post-settlement stages), and seasonal growth patterns of scallop shell height and meat and gonad weight (which could include analysis of Northeast Fisheries Science Center archived scallop shells from the 1980s and 1990s); or 3) research to actively manage spat collection and seeding of sea scallops.

9. Research that investigates the factors affecting fishing power and estimates of how they relate to projections of landings per unit of effort (LPUE).

10. Other resource surveys to expand and/or enhance survey coverage in areas that have the potential to be important resource areas, but which currently lack comprehensive survey coverage (e.g. inshore areas east of the current NOAA Fisheries survey strata or deeper than the surveyed area, Northern Gulf of Maine resource, etc.).